

01- *R* -1236

Entered - 04-17-02 - sb
CL 01L0236 - GWENDOLYN BURNS

CLAIM OF: OMNI INSURANCE, *an affiliate of*
THE HARTFORD
as subrogee of SAMUEL FRANKS
100 Enterprise Drive
P.O. Box 3000
Rockaway, NJ 07866

For damages alleged to have been sustained as a result of a automobile accident on May 31, 2000 at Jonesboro Road and School Drive.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **OMNI INSURANCE, *an affiliate of* THE HARTFORD *as subrogee of* SAMUEL FRANKS** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a automobile accident on May 31, 2000 at Jonesboro Road and School Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: SEP 04 2001

CHAIR: *C. T. Martin*

APPROVED

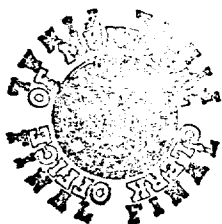
SEP 13 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

ADOPTED BY
SEP 04 2001
COUNCIL

Rosalind Rubens Newell
MUNICIPAL CLERK
SEP 04 2001
CERTIFIED

Rosalind Rubens Newell
ATLANTA CITY COUNCIL PRESIDENT
SEP 04 2001
CERTIFIED



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1236

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Omni Insurance, an affiliate of The Hartford as subrogee Samuel Franks** in the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **an automobile accident on May 31, 2000 at Jonesboro Road and School Drive** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 04, 2001

SEP 13, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0236

Date: July 27, 2001

Claimant /Victim SAMUEL FRANKS

BY: (Atty) (Ins. Co.) Omni Insurance, an affiliate of the Hartford Insurance Company

Address: P.O. Box 3000, Rockaway, New Jersey 07866

Subrogation: Claim for Property damage \$ 3,925.30 Bodily Injury \$

Date of Notice: 9/20/00 Method: Written, Proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 5/31/00 Place: Jonesboro Road & School Drive

Department POLICE Division

Employee involved Berry Dampier, Jr. Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a police vehicle that "failed to yield when entering an intersection" while responding to an emergency call. The city driver was cited for same. (See bodily injury claim 00L0586 for date of notice)

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver X Claimant Driver X

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

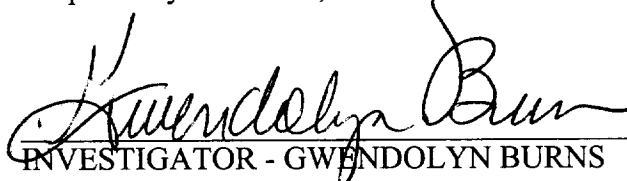
Improper Notice More than Six Months Other Damages reasonable

City not involved Offer rejected Compromise settlement X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager:  Concur/date 08-01-01

Committee Action: Council Action

RCS# 3092
9/04/01
3:36 PM

Atlanta City Council

Regular Session

MULTIPLE

Public Safety Consent Agenda except #15

1236

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE